

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA  
ELKINS DIVISION

U.S. EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION,

Plaintiff,

v.

BIG LOTS STORES, INC.,

Defendant.

Civil Action No. 2:17-cv-00073

Hon. John Preston Bailey

**DEFENDANT BIG LOTS STORES, INC.'S**  
**MOTION FOR SUMMARY JUDGMENT**

Pursuant to Federal Rule of Civil Procedure 56, Defendant Big Lots Stores, Inc. moves this Court to enter summary judgment in its favor for Plaintiff's claims of harassment and retaliation under the Americans with Disabilities Act, 42 U.S.C. §§ 12112 and 12203, as well as its claims for injunctive relief and punitive damages. A Memorandum in Support of this Motion is attached hereto.

Dated: June 22, 2018

Respectfully submitted,

/s/ David R. Stone

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**CERTIFICATE OF SERVICE**

I, David R. Stone, do hereby certify that on June 22, 2018, I electronically filed the foregoing Defendant's Motion for Summary Judgment with the Clerk of the Court using the CM/ECF system.

/s/ David R. Stone  
David R. Stone, Esquire